

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DAMON JONES, *on behalf of himself and all  
others similarly situated*,

Plaintiff,

-against-

2179 MONROE AVENUE, INC.,

Defendants.

USDC SDNY  
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DATE FILED: 3/18/2024

1:23-cv-9455 (MKV)


**ORDER OF DISMISSAL**

MARY KAY VYSKOCIL, United States District Judge:

The Court is in receipt of a letter from the parties stating that they have reached a settlement [ECF No. 14]. Accordingly, IT IS HEREBY ORDERED that the above-captioned action is discontinued without costs to any party and without prejudice to restoring the action to this Court's calendar *if the parties are unable to memorialize their settlement in writing* and the application to restore the action is made **by April 18, 2024**. The Court will not reopen the case merely because the terms of the settlement have not been satisfied. If no such application is made by that date, today's dismissal of the action is with prejudice. *See Muze, Inc. v. Digital On Demand, Inc.*, 356 F.3d 492, 494 n.1 (2d Cir. 2004).

**SO ORDERED.**

**Date: March 18, 2024**  
**New York, NY**

  
**MARY KAY VYSKOCIL**  
**United States District Judge**